

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

MARVIN WAYNE BIRTHA

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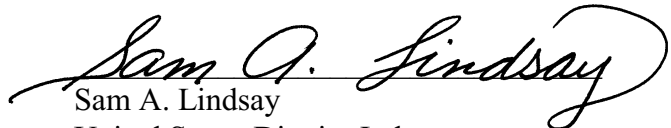
Criminal Case No. **3:07-CR-17-L(03)**

ORDER

On July 25, 2017, United States Magistrate Judge David L. Horan entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”), recommending that the court construe Defendant’s July 12, 2017 correspondence (Doc. 113) as a motion for relief under 28 U.S.C. § 2241 and direct the clerk to: (1) open a new civil action for relief under section 2241(Nos. 530); and (2) transfer that new civil action to the Middle District of Louisiana, where Defendant is incarcerated. No objections to the Report were filed.

Having reviewed Defendant’s July 12, 2017 correspondence, file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **construes** Defendant’s July 12, 2017 correspondence (Doc. 113) as a motion for relief under 28 U.S.C. § 2241 and **directs** the clerk of the court to: (1) open a new civil action under section 2241(Nos. 530); and (2) **transfer** that new civil action to the Middle District of Louisiana, where Defendant is incarcerated.

It is so ordered this 30th day of August, 2017.


Sam A. Lindsay
United States District Judge